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HOUSE BILL 3

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2009

INTRODUCED BY

Ben Lujan

AN ACT

TRANSFERRING MONEY TO THE GENERAL FUND; VOIDING CERTAIN FISCAL
YEAR 2008 APPROPRIATIONS; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. FUND TRANSFERS.--

A. Notwithstanding statutory restrictions on the
use of money in the following funds, the following amounts are
transferred to the general fund:

- (1) one million dollars (\$1,000,000) is
transferred from legislative cash balances;
- (2) one hundred thousand dollars (\$100,000) is
transferred from the magistrate court mediation fund;
- (3) five hundred thousand dollars (\$500,000)
is transferred from the allocations to the administrative
office of the courts from the water project fund;

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1 (4) one hundred fifty thousand dollars
2 (\$150,000) is transferred from the metropolitan court warrant
3 enforcement fund;

4 (5) one hundred thousand dollars (\$100,000) is
5 transferred from the metropolitan court mediation fund;

6 (6) one hundred fifty thousand dollars
7 (\$150,000) is transferred from the alternative dispute
8 resolution fund of the third judicial district;

9 (7) five hundred thousand dollars (\$500,000)
10 is transferred from the audit fund;

11 (8) one million one hundred thousand dollars
12 (\$1,100,000) is transferred from the property valuation fund;

13 (9) one million five hundred thousand dollars
14 (\$1,500,000) is transferred from the electronic voting system
15 revolving fund;

16 (10) five hundred thousand dollars (\$500,000)
17 is transferred from the domestic violence offender treatment or
18 intervention fund;

19 (11) three million dollars (\$3,000,000) is
20 transferred from the enhanced 911 fund;

21 (12) four hundred twelve thousand dollars
22 (\$412,000) is transferred from the public election fund;

23 (13) twenty-five thousand dollars (\$25,000) is
24 transferred from the state employees' career development
25 conference fund;

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1 (14) one hundred thousand dollars (\$100,000)
2 is transferred from the securities education and training fund;

3 (15) one hundred seventy-two thousand dollars
4 (\$172,000) is transferred from the real estate recovery fund;

5 (16) one hundred thousand dollars (\$100,000)
6 is transferred from the barbers and cosmetologists fund;

7 (17) three hundred thousand dollars (\$300,000)
8 is transferred from the massage therapy fund;

9 (18) five hundred thousand dollars (\$500,000)
10 is transferred from the counseling and therapy practice board
11 fund;

12 (19) two hundred thousand dollars (\$200,000)
13 is transferred from the chiropractic fund;

14 (20) two hundred thousand dollars (\$200,000)
15 is transferred from the psychology fund;

16 (21) two hundred thousand dollars (\$200,000)
17 is transferred from the physical therapy fund;

18 (22) two hundred thousand dollars (\$200,000)
19 is transferred from the private investigations fund;

20 (23) four hundred thousand dollars (\$400,000)
21 is transferred from the public accountancy fund;

22 (24) one million five hundred thousand dollars
23 (\$1,500,000) is transferred from the real estate commission
24 fund;

25 (25) six hundred fifty thousand dollars

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1 (\$650,000) is transferred from the board of social work
2 examiners fund;

3 (26) one million dollars (\$1,000,000) is
4 transferred from the New Mexico medical board fund;

5 (27) seven hundred fifty thousand dollars
6 (\$750,000) is transferred from the board of nursing fund;

7 (28) six hundred thousand dollars (\$600,000)
8 is transferred from the arts and cultural district fund;

9 (29) eight hundred thousand dollars (\$800,000)
10 is transferred from the trail safety fund;

11 (30) one hundred fifty thousand dollars
12 (\$150,000) is transferred from the mining act fund;

13 (31) five hundred thousand dollars (\$500,000)
14 is transferred from the oil and gas reclamation fund;

15 (32) five hundred thousand dollars (\$500,000)
16 is transferred from the employment security department fund;

17 (33) three million five hundred thousand
18 dollars (\$3,500,000) is transferred from the workers'
19 compensation administration fund;

20 (34) one million dollars (\$1,000,000) is
21 transferred from the uninsured employers' fund;

22 (35) five hundred thousand dollars (\$500,000)
23 is transferred from the recycling and illegal dumping fund;

24 (36) five hundred thousand dollars (\$500,000)
25 is transferred from the hazardous waste fund;

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1 (37) one million five hundred thousand dollars
2 (\$1,500,000) is transferred from the hazardous waste emergency
3 fund;

4 (38) one hundred fifty thousand dollars
5 (\$150,000) is transferred from the natural resources trustee
6 fund;

7 (39) two hundred fifty thousand dollars
8 (\$250,000) is transferred from the children, youth and families
9 pre-kindergarten fund;

10 (40) two hundred fifty thousand dollars
11 (\$250,000) is transferred from the juvenile continuum grant
12 fund;

13 (41) one million one hundred seventy-six
14 thousand dollars (\$1,176,000) is transferred from the juvenile
15 community corrections grant fund;

16 (42) one million five hundred thousand dollars
17 (\$1,500,000) is transferred from the community corrections
18 grant fund;

19 (43) one million five hundred thousand dollars
20 (\$1,500,000) is transferred from the corrections department
21 intensive supervision fund;

22 (44) one million dollars (\$1,000,000) is
23 transferred from the crime laboratory fund;

24 (45) five hundred thousand dollars (\$500,000)
25 is transferred from the concealed handgun carry fund;

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1 (46) nine hundred seventy-three thousand
2 dollars (\$973,000) is transferred from the educational
3 technology deficiency correction fund;

4 (47) one million nine hundred thousand dollars
5 (\$1,900,000) is transferred from the instructional material
6 fund;

7 (48) one million four hundred fifty thousand
8 two hundred dollars (\$1,450,200) is transferred from the public
9 pre-kindergarten fund;

10 (49) sixty million dollars (\$60,000,000) is
11 transferred from the college affordability endowment fund;

12 (50) two million eight hundred forty-eight
13 thousand seven hundred dollars (\$2,848,700) is transferred from
14 the higher education performance fund;

15 (51) three hundred fourteen thousand one
16 hundred dollars (\$314,100) is transferred from the higher
17 education endowment fund; and

18 (52) one hundred seventy-one thousand three
19 hundred thirty-seven dollars (\$171,337) is transferred from the
20 higher education program development enhancement fund.

21 B. One million two hundred thousand dollars
22 (\$1,200,000) is transferred to the general fund from revenue
23 generated from antitrust cases and consumer protection
24 settlements through the attorney general on behalf of the
25 state, political subdivisions or private citizens.

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1 C. One hundred thousand dollars (\$100,000) is
2 transferred to the general fund from cash balances of the
3 energy, minerals and natural resources department's mine
4 reclamation program relating to hard rock and coal mining.

5 D. Notwithstanding the provisions of Paragraph (10)
6 of Subsection A of Section 66-6-23 NMSA 1978, one million seven
7 hundred thousand dollars (\$1,700,000) collected pursuant to
8 Subsection D of Section 66-5-44 NMSA 1978 is transferred to the
9 general fund.

10 E. Five million dollars (\$5,000,000) is transferred
11 to the general fund from the cash balances of the department of
12 finance and administration's special programs fund, related to
13 student financial aid programs, in fund code 216.

14 Section 2. FISCAL YEAR 2008 UNSPENT APPROPRIATIONS--
15 APPROPRIATION VOID.--The following appropriations in Section 7
16 of Chapter 3 of Laws 2008 are void:

17 A. six hundred sixty-seven thousand dollars
18 (\$667,000) to the taxation and revenue department to begin
19 replacement of the oil and natural gas accounting and reporting
20 database with commercial off-the-shelf solutions; and

21 B. five hundred fifty thousand dollars (\$550,000)
22 to the department of health for continued implementation of
23 electronic medical records and health information exchange.

24 Section 3. EMERGENCY.--It is necessary for the public
25 peace, health and safety that this act take effect immediately.

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